

Message Text

CONFIDENTIAL

PAGE 01 STOCKH 03804 261234Z

43

ACTION IO-14

INFO OCT-01 EUR-25 NEA-10 ISO-00 IOE-00 SSO-00 NSCE-00

USIE-00 INRE-00 DLOS-06 L-03 COA-02 AF-10 ARA-16

EA-11 RSC-01 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-04 PRS-01 SPC-03 SS-20

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 EPA-04 CEQ-02 SCI-06

DRC-01 /252 W

----- 085708

O R 261202Z OCT 73

FM AMEMBASSY STOCKHOLM

TO SECSTATE WASHDC IMMEDIATE 904

AMEMBASSY LONDON IMMEDIATE

AMEMBASSY ATHENS

AMEMBASSY COPENHAGEN

AMEMBASSY OSLO

AMEMBASSY THE HAGUE

C O N F I D E N T I A L STOCKHOLM 3804

E.O.: 11652: GDS

TAGS: IMCO PBOR ETRN SENV SW

SUBJECT: IMCO MARINE POLLUTION CONFERENCE: LOS ISSUES

REF: A. LONDON 12260; B. STATE 209908

SUMMARY: EMBOFF PRESENTED USG POSITION IN FAVOR OF DELETION OF PROPOSED ARTICLE 8 OF IMCO MARINE POLLUTION CONVENTION TO PRINCIPAL MFA LOS NEGOTIATOR OCTOBER 25. OVVICIAL REPLIED THAT ARTICLE 8 WAS ESSENTIALLY A SWEDISH SUGGESTION, REFLECTING CONSIDERED GOS WILLINGNESS TO SACRIFICE SOME OF IST INTERESTS AS FLAG STATE TO PROTECT MARINE ENVIRONMENT; WHILE GOS COULD THEREFORE NOT AGREE TO DELETION, IT APPRECIATED NEED TO OBTAIN CON-
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STOCKH 03804 261234Z

VENTION ACCEPTABLE TO MAJOR SHIPPING COUNTRIES; HE WOULD THERE-

FORE PROMPTLY CONVEY USG POSITION TO SWEDISH DELEGATION AND INSTRUCT IT TO BE SYMPATHETIC TO ATTEMPT TO RENEGOTIATE TEXT. END SUMMARY.

1. EMBOFF CALLED ON J.S. MYSTEN, MFA COUNSELOR AND PRINCIPAL SWEDISH LOS NEGOTIATOR, OCTOBER 25 TO PRESENT ORALLY AND BY MEMORANDUM ARGUMENTS SET FORTH IN PARAS 5 AND 6 OF REF A IN FAVOR OF DELETION OF PROPOSED ARTICLE 8 OF IMCO MARINE POLLUTION CONVENTION.

2. MYRSTEN RESPONDED THAT GOS CLEWRLY UNDERSTANDS US ARGUMENTS AND IS AWARE THAT ARTICLE 8 AS WRITTEN GIVES A COASTAL STATE BROAD LITITUDE TO IMPOSE CONSTRUCTION STANDARDS ON FOREIGN VESSELS. NEVERTHELESS, GOS WAS PREPARED TO SUBORDINATE ITS MARITIME INTERESTS TO PROTECT MARINE ENVIRONMENT. PROPOSED ARTICLE 8, HE SAID, WAS ESSENTIALLY WORDING ORIGINALLY WORKED OUT BY GOS AND SWEDEN WOULD NOT FAVOR ITS DELETION.

3. MYRSTEN AGREED THAT ARTICLE 8 THEORETICALLY COULD RESULT IN PROLIFERATION OF ONEROUS CONSTRUCTION STANDARDS. HE WAS CONFIDENT, HOWEVER, THE COASTAL STATES WOULD NOT FAIL TO PERCEIVE THAT UNREASONABLE DEMANDS WOULD INCREASE THEIR OWN FREIGHT COSTS.

4. GOS, HE ADDED, WAS NOT GREATLY CONCERNED THAT ARTICLE 8 WOULD PREJUDICE LOS ISSUE OF NATURE AND EXTENT OF RIGHTS OF COASTAL STATES. IT CONSIDERED THAT IMCO CONVENTION HAD INDEPENDENT AND PARTICULAR IMPORTANCE OF ITS OWN AND WAS NOT MERELY "STEP-DAUGHTER" OF LOS CONVENTION. GOS WAS WILLING TO SACRIFICE ITS BARGAINING POSITION AT LOS CONFERENCE IN ORDER TO OBTAIN GOOD IMCO CONVENTION THAT INCREASED POWER OF COASTAL STATES.

5. IN SOMEWHAT PHILOSOPHICAL - AND IDEOLOGICAL - VEIN, MYRSTEN HELD THAT CURRENT SOCIAL THOUGHT INCREASINGLY CHALLENGES TRADITIONAL CONCEPT OF EXCLUSIVE PROPERTY RIGHTS. TODAY NEW APPRECIATION OF SOCIAL INTER-RELATIONSHIPS MAKES IT NECESSARY TO GIVE A DIFFERENT MEANING TO CONCEPT OF OWNERSHIP. STATE EXPROPRIATION OF PROPERTY FOR FAR-REACHING SOCIAL PURPOSES NO LONGER SEEMS UNREASONABLE. SIMILARLY, IT IS NECESSARY TO GIVE COASTAL STATES MORE INFLUENCE OVER THE MANY OIL VESSELS NOW SUBJECTING OCEANS TO POSSIBILITY OF SPILLAGE.
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STOCKH 03804 261234Z

SWEDEN, IN FACT, NO LONGER CONSIDERS HIGH SEAS A HOLY PRINCIPLE.

6. NEVERTHELESS, GOS IS PRAGMATIC, MYRSTEN CONCEDED, AND RECOGNIZES THAT IF THE CONVENTION IS TO HAVE VALUE, IT MUST BE ONE THAT IS ACCEPTABLE TO MAJOR SHIPPING COUNTRIES. SWEDISH DELEGATION HAS WIDE AUTHORITY TO MAKE DECISIONS. HE WAS CONFIDENT THAT IT WOULD NOT SUPPORT A CODUMENT WHICH WOULD NOT WORK.

7. MYRSTEN SAID HE WOULD CABLE DELEGATION PROMPTLY TO INFORM IT OF DETAILS OF USG REPRESENTATION AND INSTRUCT IT TO BE SYMPATHETIC TO RENEGOTIATION OF ARTICLE 8. HE WOULD ALSO INFORM OFFICIALS IN MINISTRIES OF COMMUNICATIONS AND AGRICULTURE IN STOCKHOLM OF US APPROACH; BOTH MINISTRIES ARE REPRESENTED ON DELEGATION.

DOZIER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 26 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STOCKH03804
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS DOZIER
Errors: N/A
Film Number: n/a
From: STOCKHOLM
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t1973108/aaaaafke.tel
Line Count: 123
Locator: TEXT ON-LINE
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A. LONDON 12260; B. STATE 209908
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 19 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19-Sep-2001 by martinml>; APPROVED <15-Nov-2001 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: IMCO MARINE POLLUTION CONFERENCE: LOS ISSUES
TAGS: PBOR, ETRN, SENV, SW, IMCO
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005